

provide for translating and printing in the Spanish and German languages the constitution of the State of Texas, and certain laws thereof." Read first time.

On motion of Senator Ellis the rules were suspended.

Senator Wood offered the following amendment:

Amend by striking out of the bill the word "constitution," and the word "Governor," wherever they occur.

Pending the above amendment, on motion of Senator Bradley, the Senate adjourned until 9½ o'clock. A. M., tomorrow.

FIFTY-SECOND DAY.

SENATE CHAMBER,
AUSTIN, March 13th, 1875. }

Senate met pursuant to adjournment. Roll called; quorum present. Prayer by the chaplain.

The reading of the journal of yesterday was dispensed with.

Senator Davenport, Chairman Committee on Public Printing, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

SIR—Your Committee on Printing, to whom was referred Senate resolution regarding the printing of the Governor's veto message, beg leave to report that five thousand copies of said message have been delivered, and that the remaining fifteen thousand will be ready for delivery to-day. Your committee are of opinion that the message has been printed with commendable promptness by the Public Printer, considering the large amount of work required at his hands.

DAVENPORT, for Committee.

Senator Shepard called up his motion, entered on yesterday, to reconsider the vote passing Senate bill No. 813, "An act prescribing the times of holding the district courts in the Twenty-ninth Judicial District, and repealing all other acts in conflict with this act," approved April 29th, 1874. Motion carried, and the bill reconsidered.

Senator Shepard then introduced a substitute for said bill, said substitute being entitled "An act to amend 'an act prescribing the time of holding the district courts in the Twenty-ninth Judicial District,'" approved April 29th, 1874.

Substitute read first time and adopted; rules suspended, read second time and ordered engrossed.

On motion of Senator Shepard, the rules were suspended, substitute read third time and passed.

Senator Moore introduced a bill entitled "An act to enable the State of Texas to make exhibit of her various products and natural resources at the national exposition, to be held during the proceedings connected with the Centennial Anniversary of the Republic of America, in the city of Philadelphia, in 1876."

Read first time and ordered to lie on the table.

Rules suspended, read second time.

Senator Wood offered the following amendment as an additional section :

That the State of Texas, in no event, shall be responsible for any sum of money for the purposes of this act, expended over and above the amount herein appropriated, and no such additional expenditure shall ever constitute a claim against the State ; and it shall be entirely optionary with the Governor of the State to direct and limit the expenditures of the amount of money appropriated by this act. Adopted. .

The joint resolution, as amended, was then ordered engrossed.

On motion of Senator Moore, the rules were suspended, joint resolution read third time, and lost by the following vote :

YEAS—Senators Bradley, Davenport, Ellis, Flanagan, Hobby, Moore, Randle and Russell—8.

NAYS—Senators Allison, Baker, Burton, Dillard, Dwyer, Erath, Morris, Parker, Stirman, Swift, Westfall and Wood—12.

A message was received from the Governor.

Senator Bradley introduced a joint resolution "To define the mode of submitting amendments to the constitution to the vote of the people." Read first time.

Rules suspended, read second time.

Senator Shepard offered the following amendment :

Provided, The amendments shall not be voted upon in case a constitutional convention is called by a vote of the people. Adopted.

The joint resolution, as amended, was then ordered engrossed.

Rules suspended, read third time and passed.

Senator Shepard, for Committee on Engrossed Bills, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 759, "An act to incorporate the Houston Light Guards, of the city of Houston," and find the same correctly engrossed.

SHEPARD, for Committee.

On motion of Senator Erath, the rules were suspended, and House bill No. 860, "An act to empower administrators of the estate of deceased persons to compromise suits of doubtful character relative to the title of real estate owned or claimed by the estate they represent," was taken up and read first time.

On motion of Senator Shepard, the rules were suspended, and Senate bill No. 742, "An act to refund certain moneys to James Hogue," was taken up and read second time.

The question then being on the engrossment of the bill, the Senate refused to engross it.

The hour having arrived for the consideration of the special order, to-wit: Senate bill No. 809, "An act to create an auditorial board," it was taken up.

Senator Dillard moved that the bill be indefinitely postponed.

Senator Wood moved a call the Senate. Call sustained.

Absent—Senators Ball, Dwyer, Flanagan and Randle.

The Sergeant-at-arms was dispatched for the absent Senators.

On motion of Senator Bradshaw, the rules were suspended, and Senate bill No. 700, "An act for the relief of certain railroads;" and also substitute therefor, offered by committee, entitled "An act supplementary to an act entitled 'an act to incorporate the Rio Grande Railroad Company,' and amendatory of section two of said act;" approved August 13th, 1870. Substitute read first time and adopted.

Rules suspended and substitute read second time.

Senator Russell offered the following amendment: Strike out the word "sixteen" wherever it occurs in the bill, and insert "twenty." Adopted.

The substitute, as amended, was then ordered engrossed.

On motion of Senator Russel, the rules were suspended, substitute read third time and passed, by the following vote :

YEAS—Senators Ball, Baker, Bradley, Burton, Dillard, Davenport, Erath, Hobby, Joseph, Morris, Moore, Parker, Randle, Russell, Shepard, Stirman, Swift, Westfall and Wood—19.

NAYS—Senator Allison—1.

Senator Wood offered the following resolution :

Resolved, by the Senate, That the Superintendent of Public Buildings and Grounds, be directed to distribute among the several Senators, the Governor's veto message, on the International Railroad bond bill, and to forward the same, after adjournment, to the several Senators at their homes ; and for this purpose, is authorized to purchase the necessary stamps and envelopes out of the contingent fund of this Legislature. Adopted.

Senator Shepard, for Committee on Engrossed Bills, submitted the following report :

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 813, "An act to amend 'an act prescribing the times of holding the district courts in the Twenty-ninth Judicial District, and repealing all other acts in conflict with this act ;' " approved April 29, 1874, and find the same correctly engrossed.

SHEPARD, for Committee.

Senator Westfall, for Committee on Enrolled Bills, submitted the following reports :

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Enrolled Bills ask leave to report that they have carefully examined and find correctly enrolled Senate bill No. 617, "An act to grant lands to certain counties for educational purposes." Senate joint resolution No. 658, "Joint resolution amending sections 1, 2, 6 and 7 of article five ; sections 44, 45 and 46 of article twelve ; sections 1, 2, 3, 4, 5, 6, 7, 8 and 9 of article nine ; and section 51, general provisions of the constitution." Senate bill No. 764, "An act to incorporate the Georgetown and Rockdale Railroad Company." Senate bill No. 615, "An act to amend an act amendatory

of and supplementary to 'an act to incorporate the Pacific and Great Eastern Railway Company ;' " passed May 31, 1873. Senate bill No. 467, "An act concerning the location of the courthouse in Marion county." Senate bill No. 492, "An act to regulate public roads in the State of Texas." Senate bill No. 667, "An act to amend 'an act to establish a Code of Criminal Procedure for the State of Texas ;' " approved August 26, 1856. Senate bill No. 606, "An act to validate the official acts of J. J. Metcalf, surveyor of Palo Pinto land district." Senate bill No. 640, "An act supplementary to 'an act for the benefit of actual occupants of the public domain ;' " approved May 26, A. D. 1873. Senate bill No. 806, "An act to authorize the Judge of the Fourteenth Judicial District of the State of Texas, to open his court in the county of Tarrant on any day during the March term, A. D. 1875." Senate bill No. 601, "An act to amend section 357 of 'an act prescribing the mode of proceeding in district courts in matters of probate ;' " approved August 15, 1870 ; and have this the thirteenth day of March, at 10:30 o'clock A. M., presented the same to the Governor for his approval.

WM. H. WESTFALL, for Committee.

Hon. R. B. Hubbard, President of the Senate :

Your committee on Enrolled Bills ask leave to report that they have carefully examined and find correctly enrolled Senate bill No. 802, "An act to amend section two of 'an act to reorganize the Seventh, Eight and Eleventh Judicial Districts, and fix the time of holding courts therein,' " approved April 17, 1874. Senate bill No. 698, "An act to incorporate the Hockley and Montgomery Railway Company." Senate bill No. 701, "An act to incorporate the Travis Rifles of the city of Austin." Senate bill No. 582, "Making an appropriation to pay J. W. Ferris for his services as special judge in the case wherein the International Railroad was plaintiff and A. Bledsoe defendant." Senate bill No. 814, "An act to disqualify certain persons from exercising the functions of offices from which they have been removed." And Senate bill No. 321, "An act to provide a mode for the sale of the shares in any joint stock or incorporated company on execution," and have this thirteenth day of March, 1875, at 10:30 o'clock A. M., presented the same to the Governor for his approval.

WESTFALL, for Committee.

A message was received from the House announcing the passage of the following bills: Senate bill No. 613, "An act for the relief of J. A. Carroll." Senate bill No. 660, "An act making an appropriation to pay Captain L. H. McNelly's company, for seven months services, and the Galveston companies, and the expenditures attending the same while in the service of the State to aid the civil authorities." Also, the passage of Senate bill No. 749, "An act to make appropriations for the support of the State government, for the fiscal year beginning September 1st, 1875, and ending August 31, 1876," with amendments by the House.

The following communication was read and ordered spread on the journals:

AUSTIN, TEXAS, March 12th, 1875.

To His Excellency, Richard Coke, Governor of Texas:

SIR:—I hereby tender my resignation of the office of Senator for the Sixth Senatorial District of the State of Texas, to take effect March 13, 1875.

Very respectfully,

Your obedient servant, J. L. CAMP.

DEPARTMENT OF STATE,

AUSTIN, March 13, 1875.)

Hon. J. L. Camp, Austin, Texas:

SIR:—I have the honor to inform you that your resignation as Senator for the Sixth Senatorial District, has this day been accepted by His Excellency, Richard Coke, Governor of Texas.

Very respectfully,

Your obedient servant, A. W. DEBERRY,
Secretary of State.

The message of the Governor, received this morning, was taken up and read.

The message was as follows:

EXECUTIVE OFFICE, STATE OF TEXAS,)

AUSTIN, March 13, 1875.)

To the Honorable Senate of the State of Texas:

GENTLEMEN: I respectfully ask your advice and consent to the following appointment, to-wit: J. L. Camp, Judge of the Criminal Court in and for the cities of Jefferson, in

Marion county ; Marshall, in Harrison county ; Tyler, in Smith county, and Palestine, in Anderson county.

Very respectfully,

RICHARD COKE.

On motion of Senator Davenport, the Senate went into Executive session.

IN SENATE.

The Secretary was instructed to inform His Excellency, that the Senate does advise and consent to the appointment of Hon. J. L. Camp, as Judge of the Criminal Court in and for the cities of Jefferson, Marshall and Tyler.

A message was received from the House, announcing that the House had adopted the report of Conference Committee on Senate joint resolution No. 452, "To provide for a convention to frame a constitution for the State of Texas."

Senator Ball called up the motion made by him heretofore, to re-consider the vote by which the Senate refused to pass House bill No. 795, "An act creating the office of public weigher, and regulating the appointment, and defining the duties of same." Motion carried, and the bill re-considered by the following vote :

YEAS—Senators Allison, Ball, Dillard, Hobby, Morris, Moore, Parker, Shepard, Stirman, Swift, Westfall and Wood—12.

NAYS—Senators Baker, Bradley, Burton, Davenport, Erath, Joseph, Randle and Russell—8.

Senator Ball then moved to reconsider the vote by which the Senate adopted the amendment of Senator Burton, to strike out the word "ten," and insert the word "five." Carried by the following vote :

YEAS—Senators Allison, Ball, Dillard, Davenport, Dwyer, Ellis, Erath, Hobby, Morris, Moore, Parker, Shepard, Stirman, Swift, Westfall and Wood—16.

NAYS—Senators Baker, Bradley, Burton, Joseph and Randle—5.

Senator Ball moved to reconsider the vote adopting the amendment offered by Senator Baker, to strike out section 8 of the bill. Carried by the following vote :

YEAS—Senators Allison, Ball, Dillard, Davenport, Ellis, Erath, Hobby, Morris, Moore, Parker, Shepard, Stirman, Swift, Westfall and Wood—15.

NAYS—Senators Baker, Bradley, Burton, Dwyer, Flanagan, Joseph and Russell—7.

The vote then recurring on the amendment offered by Senator Baker, it was lost by the following vote:

YEAS—Senators Baker, Bradley, Burton, Dwyer, Erath, Flanagan, Hobby, Joseph, Randle, Russell, and Swift—11.

NAYS—Senators Allison, Ball, Dillard, Davenport, Ellis, Morris, Moore, Parker, Shepard, Stirman, Westfall and Wood—12.

Senator Joseph moved to amend by inserting after the word "person," in the last section, the words "or by agent."

Senator Shepard moved to lay the amendment on the table. Carried, by the following vote:

YEAS—Senators Allison, Ball, Dillard, Davenport, Ellis, Morris, Moore, Parker, Shepard, Stirman, Swift, Westfall and Wood—13.

NAYS—Senators Baker, Bradley, Burton, Dwyer, Erath, Flanagan, Hobby, Joseph, Randle and Russell,—10.

Senator Allison moved the previous question. Previous question ordered.

The question then recurring on the final passage of the bill, it passed by the following vote:

YEAS—Senators Allison, Ball, Dillard, Davenport, Ellis, Hobby, Morris, Moore, Parker, Shepard, Stirman, Swift, Westfall and Wood—14.

NAYS—Senators Baker, Bradley, Burton, Dwyer, Erath, Flanagan, Joseph, Randle and Russell,—9.

Senator Ball moved to reconsider the vote just taken, and to lay the motion to reconsider on the table. Carried.

Senator Shepard, for Committee on Engrossed Bills, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 789, "An act to provide for the sale of the alternate sections of lands as surveyed by railroad companies, and set apart for the benefit of the common school fund," and find the same correctly engrossed.

SHEPARD, for Committee.

Senator Westfall, for Committee on Enrolled Bills, submitted the following reports:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Enrolled Bills ask leave to report that they have carefully examined and find correctly en-

rolled, Senate bill No. 604, "An act to authorize G. Schleicher, G. Hoffman and L. H. Fitzhugh, to erect and keep a boom across the Colorado river, at or near the city of Austin, in the county of Travis," and have this eleventh day of March, 1875, at 12:45 o'clock P. M., presented the same to the Governor for his approval.

Jos. E. DWYER, for Committee.

Hon R. B. Hubbard, President of the Senate:

Your Committee on Enrolled Bills ask leave to report that they have carefully examined and find correctly enrolled, Senate bill No. 792, "An act to create and organize the county of Somerville." Senate bill No. 655, "An act to appropriate unexpended school moneys, to be used for educational purposes in the school district to which they belong," and have this thirteenth day of March 1875, at 11:15 A. M., presented the same to the Governor for his approval.

WM. H. WESTFALL, for Committee.

On motion of Senator Russell, the rules were suspended, and House bill No. 761, "An act defining the jurisdiction of mayors of towns and cities, incorporated under the general laws or special laws of this State," was taken up and read first time.

Senator Shepard moved to suspend the rules to put the bill on its second reading. Lost.

On motion of Senator Ellis, the rules were suspended, and House bill No. 681, "An act to authorize the cities of Texas to maintain public free schools," was taken up and read first time.

Rules suspended, bill read second time, and passed to third reading.

On motion of Senator Russell, the rules were suspended, bill read third time and passed.

On motion of Senator Wood, the rules were suspended, and Senate bill No. 749, "An act to make appropriations for the support of the State government for the fiscal year, beginning September 1, 1875, and ending August 31, 1876," was taken up, pending House amendments thereto.

On motion of Senator Wood, the Senate refused to concur in House amendments.

On motion of Senator Ellis, the rules were suspended, and House bill No. 645, "An act to encourage and protect

the Padra Island Manufacturing Company," was taken up and read first time.

Rules suspended, bill read second time.

On motion of Senator Russell, the bill was indefinitely postponed.

On motion of Senator Westfall, the rules were suspended, and Senate bill No. 763, "An act to incorporate the Austin, Georgetown and Belton Turnpike Company," was taken up and read second time.

Senator Erath offered the following amendment :

Amend section —, by striking out the word "ten" before the word "section," and insert "eight." Adopted.

Senator Erath offered the following amendment :

Insert in section —, after the words "one horse buggy," the words "two horse buggy, carriage and unloaded two horse wagons, fifteen cents." Adopted.

Senator Davenport moved a call of the Senate. Call sustained.

Absent—Senators Dwyer, Ellis, Flanagan, Randle and Shepard—5.

The Sergeant-at-Arms was dispatched for absent Senators.

The absent Senators having returned, Senator Westfall moved that the call be suspended. Carried.

The rules were then suspended, the bill was read third time, and lost by the following vote, it requiring a two-thirds vote to pass the bill :

YEAS—Senators Ball, Baker, Bradley, Burton, Davenport, Erath, Joseph, Morris, Russell, Shepard, Westfall and Wood—12.

NAYS—Senators Allison, Dillard, Dwyer, Ellis, Moore, Parker, Stirman and Swift—8.

A message was received from the House, announcing that the House had refused to recede from any of its amendments to Senate bill No. 749, "An act making an appropriation for the support of the State government for the fiscal year, beginning September 1st, 1875, and ending August 31st, 1876," and asked a committee of free conference on said bill ; also, announcing that the House had appointed as said committee, Representatives Delany, Munson, DeMorse, Lindsey, Epperson, Watts and Farrar.

The President appointed as said committee, Senators Hobby, Ball, Dillard, Erath, Wood, Stirman and Russell.

On motion of Senator Joseph, the rules were suspended,

and House bill No. 230, "An act providing for the payment of certain furniture in the Governor's mansion," was taken up and read second time.

The Senate refused to pass the bill to a third reading.

Senator Morris gave notice that he would move a reconsideration of the vote by which the Senate refused to pass the bill introduced this morning by Senator Moore, entitled "An act to enable the State of Texas to make exhibit of her various products and natural resources, at the national exposition, to be held during the proceedings connected with the Centennial Anniversary of the Republic of America, in the city of Philadelphia, in the year 1876."

On motion of Senator Davenport, the Senate adjourned until 3 o'clock P. M., this evening.

EVENING SESSION—3 P. M.

Senate met pursuant to adjournment. Roll called; quorum present.

Senator Hobby submitted the following report:

Hon. R. B. Hubbard, President of the Senate, and Guy M. Bryan, Speaker of the House of Representatives:

Your Committee on Conference, appointed to consider the disagreement between the two Houses on the House amendments to Senate bill No. 749, entitled "An act to make appropriation for the support of the State government, for the fiscal year beginning September 1st, 1875, and ending August 31st, 1876," beg leave to report that they have had the subject matter of disagreement under consideration, and recommend that the Senate concur in all of the House amendments to said bill, except the amendment, striking out "\$150,000 for frontier protection," and inserting "\$300,000," and your Committee further recommend that the House recede.

W. S. DELANY,

Chairman of House Committee.

EDWIN HOBBY,

Chairman Senate Committee.

On motion of Senator Parker, the rules were suspended and House bill No. 778, "An act to authorize the Governor, at his discretion, upon the recommendation of the directors and inspectors of the State penitentiary, to grant to con-

victs sentenced for a term of years, commutation of the period of time for which they may be sentenced, and conditioned upon sufficient evidence of reformation and continued good conduct," was taken up and read first time.

On motion of Senator Parker, the rules were suspended, bill read second time and passed to third reading.

Senator Parker moved to suspend the rules to put the bill on its passage. Lost.

A message was received from the House announcing the passage of the following bills:

Senate bill No. 668, "An act to amend 'an act to adopt and establish a Penal Code for the State of Texas;'" approved August 28, 1856.

Senate bill No. 671, "An act to amend 'an act to establish a Code of Criminal Procedure for the State of Texas;'" approved August 26, 1856.

Senate bill No. 650, "An act to incorporate the Dallas and Southwestern Narrow Gauge Rail Road Company, and to aid in the construction of said road."

Also, the passage of Senate bill No. 755, "An act to ascertain the deficiency of the several departments of the State for the fiscal year ending the thirty-first day of August, 1875, and amounts due individuals, and to appropriate money to pay the same," with House amendments.

On motion of Senator Baker, the rules were suspended and Senate bill No. 755, "An act to ascertain the deficiency of the several departments of the State for the fiscal year ending the thirty-first day of August, 1875, and amounts due individuals, and to appropriate money to pay the same," with House amendments, was taken up.

On motion of Senator Wood, the Senate refused to concur in House amendments.

On motion of Senator Burton, the rules were suspended and House bill No. 716, "An act requiring the several justices of the peace, heretofore having and exercising jurisdiction in the territory comprising the county of Waller, previous to its organization, or their successors in office, to turn over to the proper justices of the peace of Waller county, respectively, all the unfinished business of their courts, originating or belonging to the several precincts of Waller county, including the original papers in all suits pending, with a certified transcript of all orders made therein, and also a certified copy of all judgments on their

dockets remaining unsettled," was taken up and read first time.

Rules suspended, bill read second time and passed to third reading.

On motion of Senator Burton, the rules were suspended, bill read third time and passed.

A message was received from the House announcing the passage of Senate bill No. 721, "An act to provide for the distribution of taxes collected for the building and repairing of school houses in certain school districts, in newly created counties." Also, Senate bill No. 681, "An act prescribing the mode of service in certain cases."

Senator Shepard, for Committee on Engrossed Bills, submitted the following reports:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate joint resolution No. 819, "Joint resolution to define the mode of submitting amendments to the constitution, to the vote of the people," and find the same correctly engrossed.

SHEPARD, for Committee.

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 700, "An act supplementary to 'an act to incorporate the Rio Grande Railroad Company,' and amendatory of section two of said act;" approved August 13th, 1870, and find the same correctly engrossed.

SHEPARD, for Committee.

Senator Westfall, for Committee on Enrolled Bills, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Enrolled Bills ask leave to report that they have carefully examined, and find correctly enrolled. Senate joint resolution No. 452, "Joint resolution providing for a convention to frame a constitution for the State of Texas." Senate bill No. 613, "An act for the relief of J. A. Carroll." Senate bill No. 489, "An act authorizing the person in charge of the Capitol and Capitol Grounds and State Cemetery, under act of April 29th, 1873, to contract for the necessary piping and fixtures for gas lights

throughout the Capitol, and making an appropriation therefor." Senate bill No. 660, "An act making an appropriation to pay Captain L. H. McNelly's company for seven months service, and the Galveston companies, and the expenditures attending the same while in the service of the State to aid the civil authorities;" and have this 13th day of March, 1875, at 3:30 o'clock P. M., presented the same to the Governor for his approval.

WM. H. WESTFALL, for Committee.

On motion of Senator Joseph, the rules were suspended, and Senate bill No. 762, "An act requiring sheriffs to collect taxes levied to supply deficiencies in support of public free schools, and provide mode of settlement and collection," was taken up and read second time.

Senator Wood offered the following amendment as an additional section:

Provided, That no collection of taxes shall be made under the provisions of this act, unless the assessment of the property has been assessed by the justices of the peace of the respective counties in this State, as required by law in each school district of such county. Separately adopted.

The bill, as amended, was then ordered engrossed.

On motion of Senator Westfall the rules were suspended, bill read third time and passed.

Senator Westfall withdrew his motion to reconsider the vote passing House bill No. 839, "An act to repeal 'an act to re-incorporate the city of Corpus Christi, etc.'"

Senator Shepard, for Committee on Engrossed Bills, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 762, "An act requiring sheriffs to collect taxes levied to supply deficiencies in support of public free schools, and provide mode of settlement and collection," and find the same correctly engrossed.

SHEPARD, for Committee.

A message was received from the House announcing the passage of Senate bill No. 705, "An act for the relief of Rusk county, and making an appropriation therefor;" also the passage of Senate bill No. 741, "An act amendatory of and supplementary to the several acts in relation to the incorporation of, and granting aid to the Texas and Mexican Pacific Railroad Company."

On motion of Senator Dwyer, the rules were suspended, and House bill No. 666, "An act to amend the second section of 'an act to give State aid in the removal of rafts and other obstructions from the Guadalupe and San Antonio rivers,'" passed May 1st, 1874, was taken up, read second time, and passed to third reading.

On motion of Senator Dwyer, the rules were further suspended, bill read third time and passed.

On motion of Senator Stirman, the rules were suspended, and Senate joint resolution No. 550, "Authorizing the purchase of certain laws printed in the German language," was taken up, read second time, pending committee amendments. The amendments of the committee were adopted, and the joint resolution was ordered engrossed.

Rules suspended, joint resolution read third time, and passed by the following vote :

YEAS—Senators Ball, Baker, Burton, Dwyer, Ellis, Erath, Hobby, Joseph, Morris, Moore, Parker, Russell, Stirman and Wood—14.

NAYS—Senators Allison, Bradley, Dillard, Davenport, Shepard, Swift and Westfall—7.

House bill No. 851, "An act to amend an act entitled 'an act to provide for the employment of convicts for petty offenses,'" was taken up, and read first time; rules suspended, and bill read second time.

Senator Burton offered the following amendment.

In section 2, line eleven, strike out the word "proper," before the words "day work." Lost.

The rules were suspended and bill passed to third reading.

Rules suspended, bill read third time and passed.

The unfinished business being the consideration of House bill No. 815, "An act to provide for translating and printing in the Spanish language, the constitution and certain laws therein specified," it was taken up and read second time, pending an amendment offered by Senator Wood.

The amendment was adopted by the following vote :

YEAS—Senators Allison, Baker, Bradley, Dillard, Davenport, Erath, Morris, Parker, Stirman, Swift and Wood—11.

NAYS—Senators Ball, Burton, Dwyer, Ellis, Joseph, Moore, Russell, Shepard and Westfall—9.

Senator Russell offered the following amendment :

Insert the words "code of criminal procedure," before the words "and penal code." Lost.

Senator Wood moved to amend, by striking out "\$10,000," and inserting "\$5000." Adopted.

The bill as amended, then passed to third reading, by the following vote :

YEAS—Senators Ball, Burton, Dwyer, Ellis, Erath, Joseph, Moore, Randle, Russell, Stirman, Westfall and Wood—12.

NAYS—Senators Allison, Baker, Bradley, Dillard, Davenport, Morris, Parker, Shepard and Swift—9.

Rules suspended, bill read third time and passed by the following vote :

YEAS—Senators Ball, Burton, Dwyer, Ellis, Erath, Flanagan, Joseph, Moore, Randle, Russell, Stirman, Westfall and Wood—13.

NAYS—Senators Allison, Baker, Bradley, Dillard, Davenport, Morris, Parker, Shepard and Swift—9.

On motion of Senator Burton, the rules were suspended, and House bill No. 561, "An act to authorize the county court of Waller county to have certain records transcribed," was taken up, read second time and passed to third reading.

Rules suspended, bill read third time and passed.

On motion of Senator Allison, the rules were suspended, and House bill No. 640, "An act to regulate the estraying of stock in the State of Texas," was taken up and read first time.

Senator Allison moved to suspend the rules to put the bill on its second reading. Lost.

Senator Ball, by leave, introduced a bill entitled "An act to amend the first section of 'an act prescribing the time of holding the district courts in the Thirteenth Judicial District of the State of Texas,' and to repeal 'an act passed by the Fourteenth Legislature,' and approved May 1st, A. D. 1874." Read first time.

On motion of Senator Ball, the rules were suspended, bill read second time and ordered engrossed.

On motion of Senator Ball, the rules were suspended, bill read third time and passed.

On motion of Senator Wood, the Senate adjourned until 8 o'clock P. M.

NIGHT SESSION—8 P. M.

Senate met pursuant to adjournment, Senator Hobby presiding; roll called; no quorum present.

Sergeant-at-arms was dispatched for the absent Senators.

(President in the chair.)

A message was received from the House announcing the passage of the following bills:

Senate bill No. 748, "An act to extend the time for the construction of works of internal improvement." Senate bill No. 735, "An act to incorporate the Austin Mineral and Western Railway Company." Senate joint resolution No. 819, "To define the mode of submitting amendments to the constitution to the vote of the people." Also, that the House refuses to concur in Senate amendments to House bill No. 815, "An act to provide for translating and printing in the Spanish and German languages, the constitution of the State of Texas, and certain laws thereof."

Also, that the House refused to recede from their amendments to Senate bill No. 755, "An act to ascertain the deficiencies of the several departments of the State for the fiscal year ending the thirty-first day of August, 1875, and amounts due individuals, and to appropriate money to pay the same;" and that the House has appointed as a committee of conference on said bill, Representatives Delany, Epperson, Munson, Watts, Farrar, Denman, DeMorse, Lindsey and Smith of Grimes; and asking a like committee on the part of the Senate; and that the House had reconsidered House bill No. 748, "An act to authorize the county of Grayson to issue bonds," and had passed the same by a two-thirds vote, notwithstanding the objections of His Excellency, the Governor; and that the House had also reconsidered the vote on Senate bill No. 638, "An act to authorize the county court of Travis county to issue and dispose of the bonds of said county, for the purpose of erecting a courthouse and jail, in accordance with the provisions of 'an act to lease to the use of Travis county certain land in the city of Austin, on which to erect a courthouse and jail, and to enable said county to build the same,' approved May 4th, 1874, and to provide for the redemption of said bonds," and had passed the same by a two-thirds vote, notwithstanding the objections of His Excellency, the Governor.

The President appointed as Senate committee on the part of the Senate, on the disagreement between the two Houses on Senate bill No. 755, "An act to ascertain the deficiencies of the several departments of the State for the fiscal year ending the 31st of August, 1875, and amounts due individuals, and to appropriate money to pay the same," Senators Hobby, Wood, Russell, Ball, Erath, Dillard, Stirman and Shepard.

On motion of Senator Russell the rules were suspended and House bill No. 815, "An act to provide for translating and printing in the Spanish and German languages, the constitution of the State of Texas," pending Senate amendments, and in which the House refused to concur, was taken up.

Senator Russell moved that the Senate recede from its amendment :

Senator Wood moved a call of the Senate ; call sustained; absent, Senators Flanagan, Randle and Swift.

The Sergeant-at-arms was dispatched for absent Senators.

A quorum was announced as being present, and the call suspended.

The motion made by Senator Russell was then lost by the following vote :

YEAS—Senators Ball, Burton, Dwyer, Hobby, Joseph, Moore, Russell and Stirman—8.

NAYS—Senators Allison, Baker, Bradley, Dillard, Davenport, Erath, Morris, Parker, Shepard, Swift, Westfall and Wood—12.

A message was received from the House, announcing the passage of Senate bill No. 750, "An act to regulate assessments in certain cases," and that the House had appointed as a committee of conference on the disagreement between the two Houses on House bill No. 815, "An act to provide for translating and printing in the German and Spanish languages, the constitution of the State of Texas, and certain laws thereof," Representatives Cardis, Kessler and Epperson.

Senator Shepard, for Committee on Engrossed Bills, submitted the following report :

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. —, "An act to amend

the first section of 'an act prescribing the time of holding the district courts in the Thirteenth Judicial District of the State of Texas,' and to repeal an act passed by the Fourteenth Legislature," and approved May 1, 1874, and find the same correctly engrossed.

SHEPARD, for Committee.

Senator Westfall, for Committee on Enrolled Bills, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Enrolled Bills ask leave to report that they have carefully examined and find correctly enrolled Senate bill No. 671, "An act to amend 'an act to establish a Code of Criminal Procedure for the State of Texas,' " approved August 26, 1856. Senate bill No. 668, "An act to amend 'an act to adopt and establish a Penal Code for the State of Texas,' " approved August 28, 1856. Senate bill No. 741, "An act amendatory of and supplementary to the several acts in relation to the incorporation of and granting aid to the Texas and Mexican Pacific Railway Company." Senate bill No. 681, "An act prescribing the mode of service in certain cases." Senate bill No. 705, "An act for the relief of Rusk county, and making an appropriation therefor;" and have this thirteenth day of March, 1875, at 8:30 o'clock P. M., presented the same to the Governor for his approval.

W. H. WESTFALL, for Committee.

On motion of Senator Burton, the rules were suspended and House bill No. 773, "An act in relation to vagrant and mendicant children," was taken up.

Senator Wood moved an indefinite postponement of the bill. Carried.

On motion of Senator Ball, the rules were suspended and House bill No. 781, "An act to prohibit the sale or disposal of intoxicating liquors within four miles of White's mills and schoolhouse, in Hill county, and Concord schoolhouse, in Anderson county," was taken up, read second time and passed to a third reading.

On motion of Senator Ball, the rules were further suspended, bill read third time and passed.

Senator Swift moved a reconsideration of the vote by which the Senate amended House bill No. 683, "An act

incorporating the Sabine Tap, Shelby and Marshall Air Line Railroad." Lost.

On motion of Senator Westfall, the rules were suspended and Senate joint resolution "Concerning the Methodist Publishing House, at Nashville, Tennessee," was taken up and read second time.

Senator Shepard moved an indefinite postponement of the joint resolution. Lost by the following vote :

YEAS—Senators Baker, Dillard, Dwyer, Erath, Parker, Russell, Shepard and Swift—8.

NAYS—Senators Allison, Ball, Bradley, Burton, Davenport, Hobby, Joseph, Morris, Moore, Stirman, Westfall and Wood—12.

On motion of Senator Westfall, the rules were suspended, bill read third time and passed, by the following vote :

YEAS—Senators Allison, Ball, Baker, Bradley, Burton, Davenport, Hobby, Joseph, Morris, Moore, Stirman, Swift, Westfall and Wood—14.

NAYS—Senators Dillard, Dwyer, Erath, Parker, Russell and Shepard—6.

Senator Morris called up his motion to reconsider the vote by which the Senate refused to pass the bill introduced by Senator Moore this morning, in regard to Texas being represented at the Centennial celebration. Motion to reconsider carried.

The President handed the following communication from His Excellency, the Governor, and ordered it spread on the journals :

EXECUTIVE OFFICE, STATE OF TEXAS, }
AUSTIN, March 13, 1875. }

Hon. R. B. Hubbard, President of the Senate :

SIR : I have the honor to hand you herewith the captions of all bills and joint resolutions, passed by the Legislature, and approved by me since March 10th, 1875.

Very respectfully,

RICHARD COKE.

Senate bill No. 686, "An act to amend section sixty-three of an act to amend 'an act prescribing the mode of proceeding in district courts in matters of probate ;' " approved May 20th, 1871 ; approved March 11th, 1875.

Senate bill No. 614, "An act attaching a portion of Trinity county to Polk county ;" approved March 11th, 1875.

Senate bill No. 788, "An act to incorporate the Houston, East and West Texas Railway Company, and to promote the construction of the railway;" approved March 11th, 1875.

Senate bill No. 676, "An act for the relief of the scholastic census taken for the years 1871, 1872 and 1873;" approved March 11th, 1875.

House joint resolution No. 67, "Joint resolution making an appropriation to pay the contingent expenses of the second session of the Fourteenth Legislature;" approved March 11th, 1875.

Senate bill No. 743, "An act to amend sections two and eleven of 'an act to incorporate the Beaumont, Corsicana and Fort Worth Railroad Company,'" passed May 29th, 1873; approved March 11th, 1875.

House bill No. 775, "An act to require the 'Texas and Pacific Railway Company' to erect and maintain a depot at Texarkana, within the limits of the State;" approved March 11th, 1875.

House bill No. 659, "An act to amend an act entitled 'an act to attach the county of Waller to the Thirteenth Senatorial District;'" approved April 14th, 1874; approved March 11th, 1875.

House bill No. 309, "An act to grant Ann E. Lynch the privilege of collecting tolls at a certain place and fixing the rate thereof;" approved March 11, 1875.

House bill No. 543, "An act to amend an act approved February 6, 1871, the same being an act to amend the thirty-fourth and thirty-sixth sections of an act entitled 'an act prescribing the times of holding the district courts in the several judicial districts in the State;'" approved August 10, 1870; approved March 11, 1875.

Senate bill No. 718, "An act to incorporate the Waco, Belton and Gatesville Turnpike Company;" approved March 12, 1875.

House bill 755, "An act to amend section two of an act entitled 'an act to define the Tenth Judicial District of the State of Texas, and to prescribe the times for holding of the courts therein;'" approved March 5, 1874; approved March 13, 1875.

Senate bill No. 659, "An act to improve the navigation of Oyster creek, Bernard and Caney;" approved March 13, 1875.

Senate bill No. 306, "An act better defining the powers

and duties of sheriffs and constables;" approved March 13, 1875.

Senate bill No. 454, "An act to incorporate the Lamar University Association, and to provide the means to carry out the same;" approved March 13, 1875.

Senate bill No 796, "An act to amend 'an act to organize and define the powers of the Criminal District Court in and for the counties of Galveston and Harris, and to prescribe the duties thereof;" approved July 23, 1870; approved March 13, 1875.

Senate bill No. 552, "An act to authorize the Board of Public Printing to employ a practical printer to aid them in the proper discharge of their duties;" approved March 13, 1875.

Senate bill No. 630, "An act to validate the official acts of J. H. Jernigan, as Notary Public of Hunt county;" approved March 13, 1875.

Senate bill No. 478, "An act to amend an act entitled 'an act providing for the removal of county seats;" approved May 1, 1874; approved March 13, 1875.

Senate joint resolution No. 658, "Joint resolution amending sections one, two, six and seven, of article 5, sections forty-four, forty-five and forty-six of article 12, sections one, two, three, four, five, six, seven, eight and nine of article 9, and section fifty-one, general provisions of the constitution;" approved March 13th, 1875.

Senate bill No. 769, "An act for the relief of H. C. Hunt and George W. Whitmore;" approved March 13th, 1875.

House bill No. 854, "An act creating the office of Assistant Attorney General, defining his duty and fixing his salary;" approved March 13th, 1875.

House bill No. 725, "An act to amend section one of 'an act to authorize the city of Austin to become a stockholder in any company or corporation for the purpose of supplying said city with water and gas;" approved March 13th, 1875.

House joint resolution No. 63, "Joint resolution granting leave of absence to the Honorable Jno. C. Easton, Judge of the Eighth Judicial District, from the tenth day of July until the first Monday in September, 1875;" approved March 13th, 1875.

House bill No. 844, "An act to authorize the judge of the Twenty-eighth Judicial District to hold a special term

of court in the counties of Brazos and Burleson ;" approved March 13th, 1875.

House bill No. 687, "An act in relation to holding a justice's court in the town of Terrell, in Kaufman county;" approved March 13th, 1875.

Senate bill No. 753, "An act to incorporate the Central Narrow Gauge Railroad Company, and to grant land to aid in the construction of its road ;" approved March 13th, 1875.

House bill No. 714, "An act to incorporate the Corpus Christi, San Diego and Rio Grande Narrow Gauge Railroad Company, and to grant lands to aid in the construction of its road ;" approved March 13th, 1875.

Senate joint resolution No. 745, "Joint resolution prescribing the time and mode of settlement of the accounts of W. J. Long, former sheriff of Bell county, for the fiscal year embracing a part of the years 1873 and 1874 ;" approved approved March 13th, 1875.

Senate bill No. 747, "An act to incorporate the Brazos Valley Narrow Gauge Railway Company, and to grant lands in aid of the construction of the same;" approved March 13th, 1875.

Senate bill No. 807, "An act to authorize the board of trustees of school district No. 1, in the county of Gonzales, to levy a tax upon the property within said school district for the purpose of raising funds to pay the balance of the purchase money of the public school building within said district, and for repairs on the same ;" approved March 13th, 1875.

Senate bill No. 448, "An act to provide for the instruction of the pupils of the institution for the deaf and dumb in the art of printing ;" approved March 13th, 1875.

Senate joint resolution No. 791, "Joint resolution instructing our Senators, and requesting our Representatives in Congress, to use their earnest endeavors to procure the passage of a law or laws, and an appropriation by the Congress of the United States, to give better protection to our Mexican border ; to re-imburse the State of Texas for expenditures incurred in protecting the line of the Rio Grande river ; to indemnify citizens and residents of Texas for losses sustained by armed bandits from the Republic of Mexico, driving off their cattle and horses, and to give security for the future to life and property along the Rio Grande border ;" approved March 13th, 1875.

Senate bill No. 604, "An act to authorize G. Schleicher, G. Hoffmann and L. H. Fitzhugh, to erect and keep a boom across the Colorado river, at or near the city of Anstin, in the county of Travis ;" approved March 13th, 1875.

Senate bill No. 685, "An act to provide for the election and qualification of assessors and collectors of taxes ;" approved March 13th, 1875.

Senate bill No. 792, "An act to create and organize the county of Somerville ;" approved March 13th, 1875.

Senate bill No. 655, "An act to appropriate unexpended school moneys to be used for educational purposes in the school districts to which they belong ;" approved March 13th, 1875.

House bill No. 776, "An act to create and provide for the organization of the county of Morris," became a law without the approval of the Governor, March 13th, 1875.

House bill No. 493, "An act making it a penal offense for any one to pursue any calling, profession or occupation, upon which a tax is payable, without obtaining a license therefor ;" approved March 13th, 1875.

Senate bill No. 656, "An act to create and provide for the organization of the county of Franklin," became a law without the approval of the Governor, March 13th, 1875.

House bill No. 797, "An act supplemental to and amendatory of an act entitled 'an act to incorporate the Saint Louis and Mexican Gulf Railroad Company, and to grant land to aid in the construction of the same ;" approved March 13th, 1875.

Senate bill No. 321, "An act to provide a mode for the sale of the shares in any joint stock or incorporated company on execution ;" approved March 13th, 1875.

Senate bill No. 698, "An act to incorporate the Hockley and Montgomery Railway Company ;" approved March 13th, 1875.

Senate bill No. 582, "An act making an appropriation to pay J. W. Ferris for his services as special judge in the case wherein the International Railroad was plaintiff, and A. Bledsoe defendant ;" approved March 13th, 1875.

Senate bill No. 764, "An act to incorporate the Georgetown and Rockdale Railroad Company ;" approved March 13th, 1875.

Senate bill 802, "An act to amend section two, of 'an act to reorganize the Seventh, Eighth and Eleventh Judi-

cial Districts, and fix the time of holding courts therein ;" approved April 17th, 1874 ; approved March 13th, 1875.

Senate bill No. 701, "An act to incorporate the Travis Rifles of the city of Austin ;" approved March 13th, 1875.

Senate bill No. 467, "An act concerning the location of the courthouse in Marion county ;" approved March 13th, 1875.

Senate bill No. 617, "An act to grant lands to certain counties for educational purposes ;" approved March 13th, 1875.

House joint resolution, No. 62, "Legalizing and validating the official acts of C. L. Thurmond, a Notary Public of Victoria county ;" approved March 13th, 1875.

Senate bill No. 606, "An act to validate the official acts of J. J. Metcalf, surveyor of Palo Pinto land district ;" approved March 13th, 1875.

House bill No. 756, "An act for the relief of Captain Peter Tumlinson ;" approved March 13th, 1875.

Senate bill No. 601, "An act to amend section 357, of 'an act prescribing the mode of proceeding in district courts in matters of probate ;" approved August 15th, 1870 ; approved March 13th, 1875.

Senate bill No. 640, "An act supplementary to 'an act for the benefit of actual occupants of the public domain ;" approved May 26th, A. D. 1873 ; approved March 13th, 1875.

Senate bill No. 806, "An act to authorize the judge of the Fourteenth Judicial District, of the State of Texas, to open his court in the county of Tarrant, on any day during the March Term, A. D. 1875," approved March 13th, 1875.

Senate bill No. 615, "An act to amend an act amendatory of and supplementary to 'an act to incorporate the Pacific and Great Eastern Railway Company,' " passed May 31st, 1873 ; approved March 13th, 1875.

Senate bill No. 667, "An act to amend 'an act to establish a Code of Criminal Procedure for the State of Texas ;" approved August 26th, 1856 ; approved March 13th, 1875.

House bill No. 861, "An act to grant land to any company which will macadamize certain road in Hays county." Became a law without the approval of the Governor March 13th, 1875.

House bill No. 777, "An act to require the several district clerks in the State of Texas to forward to the Secretary of State certain books ;" approved March 13th, 1875.

House bill No. 813, "An act to perfect the organization of the county of Presidio;" approved March 13th, 1875.

House bill No. 853, "An act to incorporate the "Waco Greys" of the city of Waco, McLennan county;" approved March 13th, 1875.

House bill No. 850, "An act to amend the fifteenth section of 'an act to incorporate the Sherman, Wichita and Pan Handle Railway Company, and to grant land to aid in the construction thereof;'" passed May 22d, 1873; approved March 13th, 1875.

House bill No. 719, "An act making an appropriation to pay the commissioners appointed to appraise the alternate sections of land, as surveyed by railroad companies and set apart for common schools;" approved March 13th, 1875.

House bill No. 669, "An act to repeal an act entitled, 'an act granting pensions to the surviving veterans of the revolution which separated Texas from Mexico;'" approved April 21st, 1874; approved March 13th, 1875.

House bill No. 852, "An act to legalize the official acts of J. S. Perry, Notary Public of Milam county;" approved March 13th, 1875.

Senate joint resolution No. 452, "Joint resolution providing for a convention to frame a constitution for the State of Texas;" approved March 13th, 1875.

Senate bill No. 660, "An act making an appropriation to pay Captain L. H. McNelly's company for seven months service, and the Galveston companies, and the expenditures attending the same while in the service of the State to aid the civil authorities;" approved March 13th, 1875.

Senate bill No. 613, "An act for the relief of J. A. Carroll;" approved March 13th, 1875.

Senate bill No. 489, "An act authorizing the person in charge of the Capitol and Capitol grounds and State Cemetery, under act of April 29th, 1874, to contract for the necessary piping and fixtures for gas light throughout the Capitol and Governor's Mansion, and making an appropriation therefor;" approved March 13th, 1875.

On motion of Senator Wood, the Senate adjourned until 9 o'clock A.M., Monday.